

UNITED STATES OF AMERICA)

v.)

OMAR AHMED KHADR)

a/k/a "Akhbar Farhad")

a/k/a "Akhbar Farnad")

a/k/a "Ahmed Muhammed Khali")

D-107

ORDER

1. The Commission conducted a R.M.C. 803 session at Guantanamo Bay, Cuba on 1 June 2009.

2. Based upon the expressed desires of the accused at that session, the Commission orders the following:

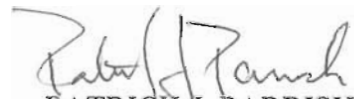
a. At the request of the accused, Ms. Rebecca Snyder, CDR Walter Ruiz and Mr. Michael Paradis are relieved as counsel for the accused.

b. Although Mr. Khadr initially expressed a desire to discharge all of his defense counsel pursuant to RMC 505((d)(2)(B)(i), he also rejected exercising his right to proceed *pro se*, representing himself. The Commission will not allow him to be unrepresented by counsel during this portion of the proceedings. Therefore, at the specific request of the accused, LCDR William Kuebler is ordered to remain as detailed counsel for the accused, at least through 13 July 2009.

c. At the request of the accused, the Commission orders the Chief Defense Counsel not to interfere with communications between LCDR Kuebler and Mr. Khadr, and orders the government to provide LCDR Kuebler with transportation to Guantanamo on scheduled flights as is reasonably appropriate to represent Mr. Khadr at least through 13 July 2009.

d. The parties are ordered to file briefs with the Commission not later than 12 June 2009 regarding the issue of what conduct constitutes "good cause" for removal of a defense counsel without the consent of the accused, whether the Chief Defense Counsel's determination of good cause is subject to judicial review, and whether or not the re-assignment or permanent change of station of military defense counsel constitutes good cause.

e. A hearing is scheduled for 13 July 2009 at 0900 hours to resolve any remaining issues regarding representation of the accused, and to hear oral argument on the government's motion for a continuance through 17 September 2009.


PATRICK J. PARRISH
Colonel, U.S. Army
Military Judge